

1 ALAN J. LAZARUS (State Bar No. 129767)
2 KRISTA L. COSNER (State Bar No. 213338)
3 DRINKER BIDDLE & REATH LLP
4 50 Fremont Street, 20th Floor
5 San Francisco, California 94105
6 Telephone: (415) 591-7500
7 Facsimile: (415) 591-7510
8 Alan.Lazarus@dbr.com
9 Krista.Cosner@dbr.com

10 Attorneys for Defendants
11 SMITHKLINE BEECHAM CORPORATION dba
12 GLAXOSMITHKLINE and McKESSON
13 CORPORATION

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 MOHINDER KHANNA

18 Plaintiff,

19 v.

20 SMITHKLINE BEECHAM
21 CORPORATION d/b/a
22 GLAXOSMITHKLINE, McKESSON
23 PHARMACY SYSTEMS, and DOES ONE
24 through FIFTEEN, inclusive,

25 Defendants.

Case No. CV-08-1131 MHP

**NOTICE OF FILING
NOTICE OF HEARING SESSION
BEFORE THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION**

26 TO THIS HONORABLE COURT AND ALL PARTIES AND THEIR COUNSEL OF
27 RECORD:

28 PLEASE TAKE NOTICE that on May 29, 2008, Plaintiff's Opposition to
Conditional Transfer Order No. 11 is set to be ruled upon without oral argument by the
Judicial Panel on Multidistrict Litigation for inclusion in the Multidistrict Litigation *In re*
Avandia Marketing, Sales Practices and Products Liability Litigation, MDL 1871 before
the Honorable Cynthia M. Rufe of the United States District Court for the Eastern

1 District of Pennsylvania. See Notice of Hearing Session attached hereto as Exhibit A, p.
2 21.

3
4 Respectfully submitted,

5
6
7 Dated: May 23, 2008

DRINKER BIDDLE & REATH LLP

8
9 /s/ Krista L. Cosner
KRISTA L. COSNER

10 Attorneys for Defendants
11 SMITHKLINE BEECHAM
12 CORPORATION d/b/a
13 GLAXOSMITHKLINE and McKESSON
14 CORPORATION
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888
<http://www.jpml.uscourts.gov>

April 24, 2008

NOTICE OF HEARING SESSION

Dear Counsel:

Pursuant to the order of the Judicial Panel on Multidistrict Litigation filed today, you are hereby notified that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

DATE OF HEARING SESSION: May 29, 2008

LOCATION OF HEARING SESSION: United States Courthouse
Courtroom No. 1, Third Floor
100 Otis Street
Asheville, North Carolina 28801

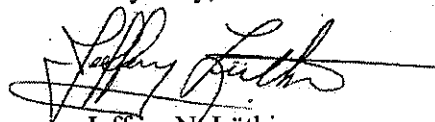
TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

Please direct your attention to the enclosed Hearing Session Order and Schedule of Matters for Hearing Session for a listing of the matters scheduled for consideration at this hearing session.

- Section A of this Schedule lists the matters designated for oral argument.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

For those matters listed on Section A of the Schedule, the enclosed blue "Notice of Presentation or Waiver of Oral Argument" must be returned to this office no later than **May 12, 2008**. Note the procedures governing Panel oral argument which are outlined on the enclosed "Procedures for Oral Argument before the Judicial Panel on Multidistrict Litigation." These procedures are strictly adhered to and your cooperation is appreciated.

Very truly,



Jeffery N. Lüthi
Clerk of the Panel

cc: Clerk, U.S. District Court for the Western District of North Carolina

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Apr 24, 2008

FILED
CLERK'S OFFICE

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

HEARING SESSION ORDER

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on May 29, 2008, the Panel will convene a hearing session in Asheville, North Carolina, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

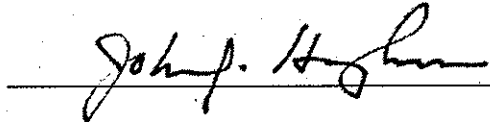
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 16.1(c). *Id.* The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 16.1(b), to designate any of those matters for oral argument. *Id.*

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

PANEL ON MULTIDISTRICT LITIGATION:



John G. Heyburn II
Chairman

D. Lowell Jensen
Robert L. Miller, Jr.
David R. Hansen

J. Frederick Motz
Kathryn H. Vratil
Anthony J. Scirica

SCHEDULE OF MATTERS FOR HEARING SESSION
May 29, 2008 -- Asheville, North Carolina

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT

MDL No. 1941 -- IN RE: ALFUZOSIN HYDROCHLORIDE PATENT LITIGATION

Motion of plaintiffs sanofi-aventis, et al., for centralization of the following actions in the United States District Court for the District of Delaware:

District of Delaware

sanofi-aventis, et al. v. Actavis South Atlantic, LLC, et al., C.A. No. 1:07-572
sanofi-aventis, et al. v. Barr Laboratories, Inc., C.A. No. 1:07-574
sanofi-aventis, et al. v. Apotex, Inc., et al., C.A. No. 1:07-792

Southern District of Florida

sanofi-aventis, et al. v. Apotex, Inc., et al., C.A. No. 0:07-61800

MDL No. 1942 -- IN RE: FLAT GLASS ANTITRUST LITIGATION (NO. II)

Motion of plaintiffs John Draper, etc., and Colonial Glass Solutions for centralization of certain of the following actions in the United States District Court for the Eastern District of Pennsylvania; motion of plaintiff Gilkey Window Co., Inc., for centralization of certain of the following actions in the United States District Court for the Western District of Pennsylvania; motion of plaintiff Diversified Glass Services, Inc., for centralization of certain of the following actions in the United States District of Court for the Southern District of New York or, in the alternative, the United States District Court for the Eastern District of Pennsylvania; and motion of plaintiff Head West, Inc., for centralization of the following actions in the United States District Court for the Central District of California:

Central District of California

Head West, Inc. v. Guardian Industries Corp., et al., C.A. No. 2:08-1765

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 2

MDL No. 1942 (Continued)

Eastern District of Michigan

Burhans Glass Co., Inc. v. Guardian Industries Corp., et al., C.A. No. 2:08-10415

Southern District of New York

Diversified Glass Services, Inc. v. Pilkington North America, Inc., et al.,
C.A. No. 1:08-903

Northern District of Ohio

Perilstein Glass Corp. v. Asahi Glass Co., Ltd., et al., C.A. No. 3:08-257

Eastern District of Pennsylvania

John Draper, etc. v. Guardian Industries Corp., et al., C.A. No. 2:07-5223
Jackson Glass Co., Inc. v. Guardian Industries Corp., et al., C.A. No. 2:08-438
Colonial Glass Solutions v. Guardian Industries Corp., et al., C.A. No. 2:08-478
Wally's Glass Service, Inc. v. Guardian Industries Corp., et al., C.A. No. 2:08-730
J. Steve Woodard, etc. v. Guardian Industries Corp., et al., C.A. No. 2:08-956

Western District of Pennsylvania

Gilkey Window Co., Inc. v. Guardian Industries Corp., et al., C.A. No. 2:08-139
Maran-Wurzell Glass & Mirror v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-175
D&S Glass Services, Inc. v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-179
E&G Auto Parts, Inc. v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-194
Superior Glass, Inc. v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-198
Frank's Glass, Inc. v. Guardian Industries Corp., et al., C.A. No. 2:08-202
Greenwood Glass Co. v. Guardian Industries Corp., et al., C.A. No. 2:08-223
Public Supply Co. v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-240
Raymond's Glass, Inc. v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-257
Bailes Granite & Marble v. PPG Industries, Inc., et al., C.A. No. 2:08-282
Thermo-Twin Industries, Inc. v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-359

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 3

MDL No. 1943 -- IN RE: LEVAQUIN PRODUCTS LIABILITY LITIGATION

Motion of plaintiffs Donald Roxenberg; Charles Epperson; Lorraine Poirier; Jillian Fisher; Ida Almeida, et al.; William Voss, et al.; Burton Griner; Anne Beardsley; Richard Kirkes, et al.; Victoria Parr; Calvin Christensen, et al.; Aline Shaffer; William Cottle; and Carlton J. Zeiler for centralization of the following actions in the United States District Court for the District of Minnesota:

Southern District of Florida

Donald Roxenberg v. Johnson & Johnson, et al., C.A. No. 9:08-80104

Southern District of Indiana

Charles Epperson v. Johnson & Johnson, et al., C.A. No. 1:07-1640

Eastern District of Louisiana

Carolyn A. Brumfield v. Ortho-McNeil Pharmaceutical, Inc., et al., C.A. No. 2:07-7749

District of Maine

Lorraine Poirier v. Johnson & Johnson, et al., C.A. No. 2:08-9

District of Massachusetts

Jillian Fisher v. Johnson & Johnson, et al., C.A. No. 1:08-10179

Ida Almeida, et al. v. Johnson & Johnson, et al., C.A. No. 1:08-10217

District of Minnesota

William Voss, et al. v. Johnson & Johnson, et al., C.A. No. 0:06-3728

Burton Griner v. Johnson & Johnson, et al., C.A. No. 0:07-1584

Anne Beardsley v. Johnson & Johnson, et al., C.A. No. 0:07-1661

Richard Kirkes, et al. v. Johnson & Johnson, et al., C.A. No. 0:07-1862

Victoria Parr v. Johnson & Johnson, et al., C.A. No. 0:07-2999

Calvin Christensen, et al. v. Johnson & Johnson, et al., C.A. No. 0:07-3960

Aline Shaffer v. Johnson & Johnson, et al., C.A. No. 0:07-4617

William Cottle v. Johnson & Johnson, et al., C.A. No. 0:08-277

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 4

MDL No. 1943 (Continued)

Eastern District of Wisconsin

Carlton J. Zeiler v. Johnson & Johnson, et al., C.A. No. 2:08-40

**MDL No. 1945 -- IN RE: STATE STREET BANK AND TRUST CO. FIXED INCOME
FUNDS INVESTMENT LITIGATION**

Motion of defendants State Street Bank & Trust Co., and State Street Global Advisors, Inc., for centralization of the following actions in the United States District Court for the District of Massachusetts:

Southern District of New York

In re State Street Bank & Trust Co. ERISA Litigation, C.A. No. 1:07-8488
Unisystems, Inc. Employees Profit Sharing Plan, et al. v. State Street Bank & Trust Co.,
et al., C.A. No. 1:07-9319
The Andover Companies Employees Savings & Profit Sharing Plan, et al. v. State Street
Bank & Trust Co., et al., C.A. No. 1:07-9687
Nashua Corp. Pension Plan Committee, et al. v. State Street Bank & Trust Co., et al.,
C.A. No. 1:08-265

Southern District of Texas

Memorial Hermann Health Care System, et al. v. State Street Bank & Trust Co., et al.,
C.A. No. 4:07-4089
Houston Police Officers Pension System v. State Street Bank & Trust Co., et al.,
C.A. No. 4:08-333

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 5

**MDL No. 1946 -- IN RE: BP PRODUCTS NORTH AMERICA, INC., ANTITRUST
LITIGATION (NO. II)**

Motion of defendant BP Products North America, Inc., for centralization of the following
actions in the United States District Court for the Northern District of Illinois:

Northern District of Illinois

Richard Dennison, et al. v. BP Products North America, Inc., et al., C.A. No. 1:06-3541
Donald Terry, et al. v. BP Products North America, Inc., C.A. No. 1:06-3551
Myles Levin v. BP Products North America, Inc., C.A. No. 1:06-3570
Schagringas Co., et al. v. BP Products North America, Inc., et al., C.A. No. 1:06-3621
Michael Withum v. BP Products North America, Inc., C.A. No. 1:06-3744
Deborah Cassells, et al. v. BP Products North America, Inc., et al., C.A. No. 1:06-3837
Gregory Sydor v. BP Products North America, Inc., C.A. No. 1:06-4188
Kurt Nebel v. BP Products North America, Inc., et al., C.A. No. 1:06-4363
H. Steven Plaut, et al. v. BP Products North America, Inc., et al., C.A. No. 1:06-4577
Donald Mowers v. BP Products North America, Inc., C.A. No. 1:06-4680
Drew Halpern v. BP Products North America, Inc., et al., C.A. No. 1:06-4736
Scott Meharg v. BP Products North American, Inc., et al., C.A. No. 1:06-5293
Craig Ridgway v. BP Products North America, Inc., C.A. No. 1:06-6108
Anita White v. BP Products North America, Inc., C.A. No. 1:06-6994
David Guin v. BP Products North America, Inc., C.A. No. 1:07-3531
Amerigas Propane, L.P., et al. v. BP North America, Inc., et al., C.A. No. 1:08-981

Southern District of Texas

KOCH Supply & Trading, L.P. v. BP Products North America, Inc., C.A. No. 4:08-377

**MDL No. 1947 -- IN RE: MAKE-UP ART COSMETICS (M.A.C.) FAIR AND
ACCURATE CREDIT TRANSACTIONS ACT (FACTA) LITIGATION**

Motion of defendants Make-up Art Cosmetics (U.S.), Inc.; Make-up Art Cosmetics (New
York), Inc.; M.A.C. Cosmetics, Inc.; and Make-up Art Cosmetics, Inc., for centralization of the
following actions in the United States District Court for the Central District of California:

Central District of California

Natalie Dye v. Make-up Art Cosmetics (U.S.), Inc., C.A. No. 2:07-2095
Shu Shu Sadrieh v. M.A.C. Cosmetics, Inc., et al., C.A. No. 2:07-2205

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 6

MDL No. 1947 (Continued)

Northern District of Illinois

Karin Dudzienski v. Make-up Art Cosmetics (U.S.), Inc., et al., C.A. No. 1:07-3812

**MDL No. 1948 -- IN RE: VTRAN MEDIA TECHNOLOGIES, LLC, PATENT
LITIGATION**

Motion of defendants Comcast Corp.; Charter Communications, Inc.; Time Warner Cable, Inc.; Suddenlink Communications; Bright House Networks, LLC; Knology, Inc.; Mediacom Communications Corp.; Atlantic Broadband; Metrocast Cablevision of New Hampshire, LLC; Armstrong Utilities, Inc.; Blue Ridge Communications, Inc.; RCN Corp.; Service Electric Television, Inc.; Buckeye Cablevision, Inc.; Massillon Cable TV, Inc.; and WideOpenWest Holdings, LLC, for centralization of the following actions in the United States District Court for the Northern District of Ohio or, in the alternative, the United States District Court for the Eastern District of Pennsylvania:

Northern District of Alabama

VTran Media Technologies, LLC v. Bright House Networks, LLC, et al.,
C.A. No. 5:08-180

Northern District of Georgia

VTran Media Technologies, LLC v. Cox Communications, Inc., C.A. No. 1:08-471

Northern District of New York

VTran Media Technologies, LLC v. Mid-Hudson Cabelvision, Inc., C.A. No. 1:08-248

Southern District of New York

VTran Media Technologies, LLC v. Bresnan Communications, LLC, et al.,
C.A. No. 1:08-1641

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 7

MDL No. 1948 (Continued)

District of North Dakota

VTran Media Technologies, LLC v. Midcontinent Communications, C.A. No. 3:08-22

Northern District of Ohio

VTran Media Technologies, LLC v. Armstrong Utilities, Inc., et al., C.A. No. 1:08-371

Eastern District of Pennsylvania

VTran Media Technologies, LLC v. Armstrong Utilities, Inc., et al., C.A. No. 2:08-477

Middle District of Pennsylvania

VTran Media Technologies, LLC v. Atlantic Broadband Finance, LLC, et al.,
C.A. No. 1:08-200

Eastern District of Texas

VTran Media Technologies, LLC v. Comcast Corp., et al., C.A. No. 2:07-457
VTran Media Technologies, LLC v. Cebridge Acquisition, L.P., C.A. No. 2:08-28

MDL No. 1949 -- IN RE: ROSUVASTATIN CALCIUM PATENT LITIGATION

Motion of AstraZeneca Pharmaceuticals LP; AstraZeneca UK Limited; IPR
Pharmaceuticals, Inc.; and Shionogi Seiyaku Kabushiki Kaisha for centralization of the
following actions in the United States District Court for the District of Delaware:

District of Delaware

AstraZeneca Pharmaceuticals, LP, et al. v. Mylan Pharmaceuticals, Inc.,
C.A. No. 1:07-805
AstraZeneca Pharmaceuticals, LP, et al. v. Sun Pharmaceutical Industries, Ltd., et al.,
C.A. No. 1:07-806

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 8

MDL No. 1949 (Continued)

District of Delaware (Continued)

AstraZeneca Pharmaceuticals, LP, et al. v. Sandoz, Inc., C.A. No. 1:07-807
AstraZeneca Pharmaceuticals, LP, et al. v. Par Pharmaceutical, Inc., C.A. No. 1:07-808
AstraZeneca Pharmaceuticals, LP, et al. v. Apotex, Inc., et al., C.A. No. 1:07-809
AstraZeneca Pharmaceuticals, LP, et al. v. Aurobindo Pharma Ltd., et al.,
C.A. No. 1:07-810
AstraZeneca Pharmaceuticals, LP, et al. v. Cobalt Pharmaceuticals, Inc., et al.,
C.A. No. 1:07-811

Middle District of Florida

Apotex, Inc. v. AstraZeneca Pharmaceuticals, LP, et al., C.A. No. 8:08-213

District of New Jersey

AstraZeneca Pharmaceuticals, LP, et al. v. Aurobindo Pharma Ltd., et al.,
C.A. No. 3:07-6020

MDL No. 1950 -- IN RE: MUNICIPAL DERIVATIVES ANTITRUST LITIGATION

Motion of plaintiff Fairfax County, Virginia, for centralization of the following actions in the United States District Court for the District of Columbia:

District of Columbia

Fairfax County, Virginia, et al. v. Packerkiss Securities, Inc., et al., C.A. No. 1:08-432
Fairfax County, Virginia, et al. v. Bank of America, C.A. No. 1:08-433

Southern District of New York

Hinds County, Mississippi v. Wachovia Bank, N.A., et al., C.A. No. 1:08-2516

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 9

**MDL No. 1951 -- IN RE: TITLE INSURANCE REAL ESTATE SETTLEMENT
PROCEDURES ACT (RESPA) & ANTITRUST LITIGATION**

Motion of plaintiffs Gerry Galiano; Gary Kromer, et al.; and Susan M. Marotta for
centralization of the following actions in the United States District Court for the Southern
District of New York:

Northern District of California

Lynn Barton v. Fidelity National Financial, Inc., et al., C.A. No. 3:08-1341
Lisa Gentilcore v. Fidelity National Financial, Inc., et al., C.A. No. 3:08-1374

District of Massachusetts

Lucien Gougeon v. Chicago Title Insurance Co., et al., C.A. No. 1:08-10402

Eastern District of New York

Brendan Dolan, et al. v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-466
MBSF Alabama LLC v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-528
Joseph Ragusa, et al. v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-640
Marshall Cook v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-731
Douglas Brown, et al. v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-744
Alex Wintner v. Chicago Title Insurance Co., et al., C.A. No. 2:08-764
Tuttnauer USA Co., Ltd. v. Fidelity National Title Insurance Co., et al.,
C.A. No. 2:08-817
Lawrence Fisher v. Title Insurance Rate Service Association, Inc., et al.,
C.A. No. 2:08-1004
Rigoberto Capellan v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-1029
Valerio Gonzalez, et al. v. Fidelity National Title Insurance Co., et al.,
C.A. No. 2:08-1030

Southern District of New York

Michael Martinucci v. Fidelity National Title Insurance Co., et al., C.A. No. 1:08-1644
Gerry Galiano v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1317
Gary Kromer, et al. v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1494
Peter Miley v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1547
Susan M. Marotta v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1597
Vincent Trulli, Jr. v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1729

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 10

MDL No. 1951 (Continued)

Southern District of New York (Continued)

Leyden Rosa Rovelo v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1830
Sean L. Suarez v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1955

Eastern District of Pennsylvania

Barbara B. Holt v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-1202
Marc Waterman v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-1263

Western District of Washington

Timothy Lubic v. Fidelity National Financial, Inc., et al., C.A. No. 2:08-401
Dawn T. Sorensen v. Fidelity National Financial, Inc., et al., C.A. No. 2:08-412

MDL No. 1952 -- IN RE: PACKAGED ICE ANTITRUST LITIGATION

Motion of plaintiff Chi-Mar Enterprises, Inc., for centralization of certain of the following actions in the United States District Court for the Northern District of Ohio or, in the alternative, the United States District Court for the Eastern District of Michigan; motion of plaintiffs Ridge Plaza, Inc.; The Baron Group, Inc., etc.; Solid Waste, Ltd., etc.; Thrifty Liquor, Inc.; and Silver Springs Liquor, Inc., for centralization of certain of the following actions in the United States District Court for the District of Minnesota; motion of plaintiff Rodney Blasingame for centralization of certain of the following actions in the United States District Court for the Northern District of Texas; motion of plaintiff Elite Energy, LLC, for centralization of certain of the following actions in the United States District Court for the Eastern District of Michigan; and motion of plaintiff Mall Mart, Inc., for centralization of the following actions in the United States District Court for the District of Minnesota:

Northern District of California

Marin Scotty's Market, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 3:08-1486

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 11

MDL No. 1952 (Continued)

Southern District of California

Jan Barranco-Grams v. Reddy Ice Holdings, Inc., et al., C.A. No. 3:08-539

District of Kansas

Jenifer Valencia v. Arctic Glacier Income Fund, et al., C.A. No. 2:08-2138

Eastern District of Michigan

F&V Oil Co., Inc., et al. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11152
S&S Lima, Inc., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11182
Silver Springs Liquor, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11200
Elite Energy, LLC v. Arctic Glacier Income Fund, et al., C.A. No. 2:08-11201
Melrick, Inc., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11204
RSB Wellman Co., Inc., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11213
Joseph Krainc, etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11238
Mazel LLC v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11315
Y&R's, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11316
Linco Distributing Co., Inc., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11330
823 Sproul Inc., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11345
Circle Beer & Beverage, Inc., etc. v. Reddy Ice Holdings, Inc., et al.,
C.A. No. 5:08-11293

District of Minnesota

Ridge Plaza, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 0:08-657
Mall Mart, Inc., etc. v. Arctic Glacier Income Fund, et al., C.A. No. 0:08-663
The Baron Group, Inc., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 0:08-670
Kozak Enterprises, Inc. v. Arctic Glacier Income Fund, et al., C.A. No. 0:08-704
Solid Waste, Ltd., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 0:08-713
Thrifty Liquor, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 0:08-777
Chukrid Khorchid, etc. v. Arctic Glacier Income Fund, et al., C.A. No. 0:08-809
G.M. Food & Fuel, LLC, etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 0:08-826
Public Foods, Inc., et al. v. Reddy Ice Holdings, Inc., et al., C.A. No. 0:08-862
Thomas Beverage Co., Inc., etc. v. Arctic Glacier Income Fund, et al., C.A. No. 0:08-863

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 12

MDL No. 1952 (Continued)

Northern District of Ohio

Chi-Mar Enterprises, Inc. v. Reddy Ice Holdings, Inc. et al., C.A. No. 1:08-657
Fu-Wah Mini Market v. Reddy Ice Holdings, Inc., et al., C.A. No. 1:08-666
Warrington Fuels, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 1:08-692
Marchbanks Travel Service, Inc., etc. v. Reddy Ice Corp., et al., C.A. No. 1:08-695

Southern District of Ohio

Champs Liquors, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 1:08-179

Northern District of Texas

Five Angels Management, etc. v. Arctic Glacier Income Fund, et al., C.A. No. 3:08-480
Joseph Massino v. Arctic Glacier Income Fund, et al., C.A. No. 3:08-496
Rodney Blasingame v. Reddy Ice Holdings, Inc., et al., C.A. No. 3:08-498
Ethamma Emmanuel, etc. v. Arctic Glacier Income Fund, et al., C.A. No. 3:08-507
Joseph Difabritiis 7-11 Food Store #24428 v. Reddy Ice Holdings, Inc., et al.,
C.A. No. 3:08-512
Rick Drontle, etc. v. Arctic Glacier Income Fund, et al., C.A. No. 3:08-536
Wilson Farms, Inc. v. Reddy Ice Holding, Inc., et al., C.A. No. 3:08-537

MDL No. 1953 -- IN RE: HEPARIN PRODUCTS LIABILITY LITIGATION

Motion of plaintiff David D'Amico for centralization of the following actions in the
United States District Court for the Southern District of Florida:

Southern District of Florida

David D'Amico v. Baxter Healthcare Corp., et al., C.A. No. 9:08-80311

Northern District of Ohio

Leroy Hubley, etc. v. Baxter Healthcare Corp., et al., C.A. No. 3:08-377

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 13

MDL No. 1953 (Continued)

District of Puerto Rico

Esther S. Rivera v. Baxter International, Inc., et al., C.A. No. 3:08-1368

**MDL No. 1954 -- IN RE: HANNAFORD BROS. CO. CUSTOMER DATA SECURITY
BREACH LITIGATION**

Motion of plaintiffs Christopher L. Grittani and Gail Wyman for centralization of the
following actions in the United States District Court for the District of Maine:

Middle District of Florida

Jerzy Dobryniewski v. Delhaize America, Inc., et al., C.A. No. 2:08-235

David Hurd v. Delhaize America, Inc., et al., C.A. No. 2:08-261

Jackie Zumba v. Hannaford Bros. Co. et al., C.A. No. 8:08-565

District of Maine

Melinda J. Ryan, et al. v. Delhaize America, Inc., et al., C.A. No. 1:08-86

Greg Doherty v. Hannaford Bros. Co., C.A. No. 2:08-89

Kathleen Wheeler v. Hannaford Bros. Co., C.A. No. 2:08-91

Brian Bradbury v. Delhaize America, Inc., et al., C.A. No. 2:08-93

Sam Micalizzi v. Delhaize America, Inc., et al., C.A. No. 2:08-94

Leonard Assner, et al. v. Hannaford Bros. Co., et al., C.A. No. 2:08-95

Marjorie Fischer, et al. v. Hannaford Bros. Co., C.A. No. 2:08-98

Christine Tushin v. Hannaford Bros. Co., C.A. No. 2:08-103

U. Nekol Pyle v. Hannaford Bros. Co., C.A. No. 2:08-104

Christopher L. Grittani v. Hannaford Bros. Co., et al., C.A. No. 2:08-110

Gail Wyman v. Hannaford Bros. Co., et al., C.A. No. 2:08-111

Steve Termine v. Hannaford Bros. Co., et al., C.A. No. 2:08-112

District of New Hampshire

Arline Nenni, et al. v. Hannaford Bros. Co., C.A. No. 1:08-106

Schedule of Matters for Hearing Session, Section A
Asheville, North Carolina

p. 14

MDL No. 1954 (Continued)

Northern District of New York

Todd Stevens v. Hannaford Bros. Co., et al., C.A. No. 1:08-341

**MDL No. 1955 -- IN RE: ORLEANS HOMEBUILDERS, INC., FAIR LABOR
STANDARDS ACT LITIGATION**

Motion of defendants Orleans Homebuilders, Inc., and OHB Homes, Inc., for
centralization of the following actions in the United States District Court for the Eastern District
of Pennsylvania:

District of New Jersey

Ann Donahue, et al. v. Orleans Home Builders, Inc., et al., C.A. No. 1:08-661

Eastern District of Pennsylvania

Pamela Warner v. Orleans Home Builders, Inc., et al., C.A. No. 2:08-260

Schedule of Matters for Hearing Session, Section B
Asheville, North Carolina

p. 15

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

MDL No. 381 -- IN RE: "AGENT ORANGE" PRODUCTS LIABILITY LITIGATION

Opposition of plaintiffs Marie Hansen, et al., to transfer of the following action to the United States District Court for the Eastern District of New York:

Southern District of Mississippi

Marie Hansen, et al. v. Dow Chemical Co., et al., C.A. No. 1:07-1188

MDL No. 875 -- IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION (NO. VI)

Oppositions of plaintiffs Jerry Dyer, et al.; Ted Munn, et al.; Rodney C. Ball, et al.; Phyllis Krause, etc.; Charles G. Papp, et al.; David A. Marley, et al.; and Todd Kortekamp, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Central District of California

Jerry Dyer, et al. v. Alfa-Laval, Inc., et al., C.A. No. 2:07-7959

Ted Munn, et al. v. CLA-VAL Co., et al., C.A. No. 2:08-248

Southern District of California

Rodney C. Ball, et al. v. Union Carbide Corp., et al., C.A. No. 3:07-2392

Middle District of Florida

Phyllis Krause, etc. v. Bondex International, Inc., et al., C.A. No. 8:07-1954

Schedule of Matters for Hearing Session, Section B
Asheville, North Carolina

p. 16

MDL No. 875 (Continued)

Southern District of Florida

Charles G. Papp, et al. v. Alfa Laval, Inc., et al., C.A. No. 0:07-61827
David A. Marley, et al. v. Elliott Turbomachinery Co., Inc., et al., C.A. No. 1:07-23042

District of Rhode Island

Todd Kortekamp, et al. v. 3M Co., et al., C.A. No. 1:08-43

Opposition of defendant John Crane, Inc., to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Western District of Kentucky:

Eastern District of Pennsylvania

Robert Moeller, et al. v. Garlock Sealing Technologies, LLC, et al. (W.D. Kentucky, C.A. No. 3:07-65)

**MDL No. 1307 -- IN RE COLUMBIA/HCA HEALTHCARE CORP. QUI TAM
LITIGATION (NO. II)**

Opposition of defendants Columbia/HCA Healthcare Corp.; Indian Path Hospital, Inc.; Superior Home Health of East Tennessee, Inc.; and Horizon Mental Health Management, Inc., to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Western District of Virginia:

District of District of Columbia

United States ex rel. Debra Hockett, M.D., et al. v. Columbia/HCA Healthcare Corp., et al., C.A. No. 1:99-3311 (W.D. Virginia, C.A. No. 1:97-29)

Schedule of Matters for Hearing Session, Section B
Asheville, North Carolina

p. 17

MDL No. 1535 -- IN RE: WELDING FUME PRODUCTS LIABILITY LITIGATION

Opposition of plaintiff Etienne Pellegal to transfer of the following action to the United States District Court for the Northern District of Ohio:

Eastern District of Louisiana

Etienne Pellegal v. Lincoln Electric Co., et al., C.A. No. 2:08-30

MDL No. 1551 -- IN RE: RECIPROCAL OF AMERICA (ROA) SALES PRACTICES LITIGATION

Motion of defendant General Reinsurance Corp. to transfer the following actions to the United States District Court for the Western District of Tennessee:

Middle District of Tennessee

State of Tennessee ex rel. Leslie A. Newman v. General Reinsurance Corp., et al.,
C.A. No. 3:07-1112

State of Tennessee ex rel. Leslie A. Newman v. General Reinsurance Corp., et al.,
C.A. No. 3:07-1113

State of Tennessee ex rel. Leslie A. Newman v. General Reinsurance Corp., et al.,
C.A. No. 3:07-1114

MDL No. 1626 -- IN RE: ACCUTANE PRODUCTS LIABILITY LITIGATION

Opposition of defendants Hoffman-La Roche, Inc., and Roche Laboratories, Inc., to transfer of the following action to the United States District Court for the Middle District of Florida:

Northern District of Texas

George W. Hyde v. Hoffman-La Roche, Inc., et al., C.A. No. 3:04-1473

Schedule of Matters for Hearing Session, Section B
Asheville, North Carolina

p. 18

**MDL No. 1718 -- IN RE: FORD MOTOR CO. SPEED CONTROL DEACTIVATION
SWITCH PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Janet Bramlage, et al.; State Farm Mutual Automobile Insurance Co., etc.; John Shaver, Jr., et al.; and Frank Harris to transfer of their respective following actions to the United States District Court for the Eastern District of Michigan:

Middle District of Florida

Janet Bramlage, et al. v. Ford Motor Co., C.A. No. 6:08-17

Northern District of Georgia

State Farm Mutual Automobile Insurance Co., etc. v. Ford Motor Co.,
C.A. No. 1:07-3222

Southern District of Georgia

John Shaver, Jr., et al. v. Ford Motor Co., C.A. No. 2:08-22

Eastern District of North Carolina

Frank Harris v. Ford Motor Co., C.A. No. 5:08-7

**MDL No. 1721 -- IN RE: CESSNA 208 SERIES AIRCRAFT PRODUCTS LIABILITY
LITIGATION**

Oppositions of defendant Cessna Aircraft Co. to transfer of the following actions to the United States District Court for the District of Kansas:

Southern District of New York

Emma Konstantinovna P'Yanina, et al. v. Cessna Aircraft Co., et al.,
C.A. No. 1:07-10403

Western District of Washington

Daniel Jones, et al. v. Cessna Aircraft Co., et al., C.A. No. 2:07-1908
Gary Smith, et al. v. Cessna Aircraft Co., et al., C.A. No. 2:07-1931

Schedule of Matters for Hearing Session, Section B
Asheville, North Carolina

p. 19

MDL No. 1721 (Continued)

Western District of Washington (Continued)

Mitchell Raspberry, etc. v. Cessna Aircraft Co., et al., C.A. No. 2:07-2001
Dennis Craig, et al. v. Cessna Aircraft Co., et al., C.A. No. 2:08-72
Stephen L. Elsner, etc. v. Cessna Aircraft Co., et al., C.A. No. 2:08-135

MDL No. 1784 -- IN RE: MCDONALD'S FRENCH FRIES LITIGATION

Opposition of plaintiffs Deborah Adames, et al., to transfer of the following action to the
United States District Court for the Northern District of Illinois:

District of New Jersey

Deborah Adames, et al. v. McDonald's Corp., C.A. No. 2:08-765

**MDL No. 1785 -- IN RE: BAUSCH & LOMB INC. CONTACT LENS SOLUTION
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Jose Erasmo Hinojosa to transfer of the following action to the
United States District Court for the District of South Carolina:

Southern District of Texas

Jose Erasmo Hinojosa v. Bausch & Lomb, Inc., et al., C.A. No. 7:08-6

Schedule of Matters for Hearing Session, Section B
Asheville, North Carolina

p. 20

**MDL No. 1810 -- IN RE: MERSCORP INC., ET AL., REAL ESTATE SETTLEMENT
PROCEDURES ACT (RESPA) LITIGATION**

Oppositions of plaintiffs Leigh Breon and Robert L. Ward, Jr., to transfer of their
respective following actions to the United States District Court for the Southern District of
Texas:

Southern District of Georgia

Leigh Breon v. Georgia Bank & Trust Co. of Augusta, et al., C.A. No. 1:08-10
Robert L. Ward, Jr. v. Wachovia Mortgage Corp., et al., C.A. No. 4:08-32

**MDL No. 1842 -- IN RE: KUGEL MESH HERNIA PATCH PRODUCTS LIABILITY
LITIGATION**

Opposition of plaintiffs Larry Palmer, et al.; Brian Sutton, et al.; and Andy Valence to
transfer of their respective following actions to the United States District Court for the District of
Rhode Island:

Central District of California

Larry Palmer, et al. v. Davol, Inc., et al., C.A. No. 8:08-220

Eastern District of California

Brian Sutton, et al. v. Davol, Inc., et al., C.A. No. 1:08-280

Eastern District of Louisiana

Andy Valence v. Jefferson Parish Hospital Service District No. 2, et al.,
C.A. No. 2:08-1121

Schedule of Matters for Hearing Session, Section B
Asheville, North Carolina

p. 21

**MDL No. 1845 -- IN RE: CONAGRA PEANUT BUTTER PRODUCTS LIABILITY
LITIGATION**

Opposition of plaintiffs Leann Causey Boyd, et al., to transfer of the following action to
the United States District Court for the Northern District of Georgia:

Western District of Louisiana

Leann Causey Boyd, et al. v. ConAgra Foods, Inc., C.A. No. 1:08-258

**MDL No. 1871 -- IN RE: AVANDIA MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Mohinder Khanna to transfer of the following action to the United
States District Court for the Eastern District of Pennsylvania:

Northern District of California

Mohinder Khanna v. SmithKline Beecham Corp., et al., C.A. No. 3:08-1131

**MDL No. 1907 -- IN RE: AURORA DAIRY CORP. ORGANIC MILK MARKETING AND
SALES PRACTICES LITIGATION**

Opposition of plaintiff Theadora King to transfer of the following action to the United
States District Court for the Eastern District of Missouri:

Northern District of California

Theadora King v. Safeway, Inc., C.A. No. 3:08-999

Schedule of Matters for Hearing Session, Section B
Asheville, North Carolina

p. 22

**MDL No. 1909 -- IN RE: GADOLINIUM CONTRAST DYES PRODUCTS LIABILITY
LITIGATION**

Oppositions of plaintiffs Priscilla Geffen, et al.; Irven S. Shelton, et al.; and Claudia Ethington, et al., to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

Central District of California

Priscilla Geffen, et al. v. General Electric Co., et al., C.A. No. 2:08-1110

Western District of Louisiana

Irven S. Shelton, et al. v. General Electric Co., et al., C.A. No. 2:07-1951

District of New Jersey

Claudia Ethington, et al. v. General Electric Co., et al., C.A. No. 3:07-5985

PROCEDURES FOR ORAL ARGUMENT BEFORE THE
UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

All oral argument is governed by the provisions of Rule 16.1 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation (effective April 2, 2001). Rule 16.1(g) allows a maximum of twenty minutes for oral argument in each matter. In most cases, however, less time is necessary for the expression of all views and the Panel reserves the prerogative of reducing the time requested by counsel. Accordingly, counsel should be careful not to overstate the time requested for oral argument.

The Panel insists that counsel limit all oral argument to the appropriate criteria. See generally In re "East of the Rockies" Concrete Pipe Antitrust Cases, 302 F. Supp. 244, 255-56 (J.P.M.L. 1969) (concurring opinion) (discussion concerning criteria for transfer).

Rule 16.1 is duplicated in its entirety hereafter for your convenience.

RULE 16.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Hearing sessions of the Panel for the presentation of oral argument and consideration of matters taken under submission without oral argument shall be held as ordered by the Panel. The Panel shall convene whenever and wherever desirable or necessary in the judgment of the Chairman. The Chairman shall determine which matters shall be considered at each hearing session and the Clerk of the Panel shall give notice to counsel for all parties involved in the litigation to be so considered of the time, place and subject matter of such hearing session.

(b) Each party filing a motion or a response to a motion or order of the Panel under Rules 7.2, 7.3, 7.4 or 7.6 of these Rules may file simultaneously therewith a separate statement limited to one page setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard," and shall be filed and served in conformity with Rules 5.12 and 5.2 of these Rules.

(c) No transfer or remand determination regarding any action pending in the district court shall be made by the Panel when any party timely opposes such transfer or remand unless a hearing session has been held for the presentation of oral argument except that the Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented in the briefs and record, and the decisional process would not be significantly aided by oral argument.

Unless otherwise ordered by the Panel, all other matters before the Panel, such as a motion for reconsideration, shall be considered and determined upon the basis of the papers filed.

(d) In those matters in which oral argument is not scheduled by the Panel, counsel shall be promptly advised. If oral argument is scheduled in a matter the Clerk of the Panel may require counsel for all parties who wish to make or to waive oral argument to file and serve notice to that effect within a stated time in conformity with Rules 5.12 and 5.2 of these Rules. Failure to do so shall be deemed a waiver of oral argument by that party. If oral argument is scheduled but not attended by a party, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision by the Panel on the basis of the papers filed.

(e) Except for leave of the Panel on a showing of good cause, only those parties to actions scheduled for oral argument who have filed a motion or written response to a motion or order shall be permitted to appear before the Panel and present oral argument.

(f) Counsel for those supporting transfer or remand under Section 1407 and counsel for those opposing such transfer or remand are to confer separately prior to the oral argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication.

(g) Unless otherwise ordered by the Panel, a maximum of twenty minutes shall be allotted for oral argument in each matter. The time shall be divided equally among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

- 2 -

(h) So far as practicable and consistent with the purposes of Section 1407, the offering of oral testimony before the Panel shall be avoided. Accordingly, oral testimony shall not be received except upon notice, motion and order of the Panel expressly providing for it.

(i) After an action or group of actions has been set for a hearing session, consideration of such action(s) may be continued only by order of the Panel on good cause shown.